



U.S. Department of Justice

*United States Attorney
Western District of Virginia*

*John L. Brownlee
United States Attorney*

*Thomas B. Mason Building
105 Franklin Road, S.W., Suite One
P. O. Box 1709
Roanoke, Virginia 24008-1709
Telephone: 540/857-2250
Fax: 540/857-2614*

**STATEMENT OF UNITED STATES ATTORNEY JOHN L. BROWNLEE
ON THE FEDERAL INDICTMENT OF TWO CHARLOTTESVILLE
POLICE OFFICERS AND OTHERS FOR VIOLATIONS OF THE HOBBS
ACT, BRIBERY, CONSPIRACY, WITNESS TAMPERING, AND MAKING
FALSE STATEMENTS**

April 8, 2005
Charlottesville, Virginia

Good morning and thank you for being here this morning.

Today I am joined by Charlottesville Police Chief Tim Longo and members of his staff, Virginia State Police Captain Frank T. Whitehurst, FBI Special Agent in Charge Don Thompson, FBI Supervisory Senior Resident Agent Mike Foster, FBI Special Agent Jim Lamb, and my Criminal Chief Assistant United States Attorney Thomas Bondurant, Jr.

In the fall of 2001, Chief Longo completed an internal investigation concerning allegations of improprieties by some of his officers. Based upon his findings, one officer resigned in lieu of termination, and Chief Longo suspended two others – Officer Charles Saunders and Officer Roy Fitzgerald – for engaging

in inappropriate conduct. Specifically, the Chief learned that these officers while on duty were present at Maxx's Nightclub located here in Charlottesville after hours and observed female dancers stripping.

After Chief Longo punished the three officers, he asked investigators from the Virginia State Police – who then sought assistance from the FBI and my office – to conduct another inquiry to determine if the three officers had violated the law. The Chief believed that the Virginia State Police and the FBI were better suited to handle this type of criminal investigation. Today, I am here to announce the findings of the criminal investigation requested by Chief Longo. Before I announce those findings, I want to thank the Chief for his courage, integrity, and leadership throughout this case. His determination and commitment to rid his department of any and all corruption should be applauded by citizens of Charlottesville and the members of the Charlottesville Police Department.

Yesterday a federal Grand Jury for the Western District of Virginia charged Charlottesville Police Officer Charles Saunders, Charlottesville Police Officer Roy Fitzgerald, Charles M. Phillips, of Charlottesville, and Jason Madison of Charlottesville, with Bribery, Conspiracy, Witness Tampering, and making False Statements. Officers Saunders and Fitzgerald are in custody and will appear before the United States Magistrate Judge at 10:00 this morning.

The Grand Jury has charged Officer Saunders and Officer Fitzgerald with accepting bribes from Charles Phillips in violation of the Hobbs Act in the form of cash, women for sexual activity, and women for sexually explicit entertainment purposes. Charles Phillips was the former manager at Maxx's Nightclub in Charlottesville. In exchange for the cash, sexual favors and adult entertainment, the Grand Jury has alleged that Officer Saunders and Officer Fitzgerald overlooked illegal activities at Maxx's Nightclub, fixed minor traffic offenses and drunk driving charges for Charles Phillips, and passed on sensitive information to Charles Phillips concerning law enforcement operations. Most troubling, the Grand Jury has alleged that the officers identified an undercover officer working for the vice unit and told Phillips not to attempt to solicit her for prostitution.

In addition to the bribery charges, the Grand Jury has charged Officer Saunders, Officer Fitzgerald, and Jason Madison with Conspiracy, Witness Tampering, and making False Statements. As part of the investigation, a confidential informant was used to inform the officers of the federal investigation. When Officer Saunders and Officer Fitzgerald became aware of the federal investigation, they attempted to persuade Charles Phillips and Jason Madison to commit perjury before the Federal Grand Jury and to withhold information from Federal Agents. It is specifically referenced in the Indictment that Officer

Saunders and Officer Fitzgerald sought to cover up a situation where Officer Saunders while on duty and in uniform, performed sexual acts with a blind folded girl at Jason Madison's residence.

If convicted on all counts, the maximum penalty faced by Officer Saunders is 30 years imprisonment and a fine of \$750,000; Officer Fitzgerald is facing 35 years imprisonment and a fine of \$1 million; Charles Phillips is facing 20 years imprisonment and a fine of \$250,000; and Jason Madison is facing 5 years imprisonment and a fine of \$250,000.

Mr. Phillips has been cooperating with law enforcement officials and has agreed to enter a plea of guilty to Count One of the indictment alleging a bribery charge in violation of the Hobbs Act. Mr. Madison has agreed to enter a plea of guilty to Count Two of the Indictment alleging a conspiracy to obstruct a federal investigation by attempting to persuade a person to testify falsely before a Grand Jury.

Police officers take an oath to uphold the law, and they risk their lives everyday to protect all of us. They are our most trusted citizens. While today's charges are disappointing to all of us in law enforcement, we should not let the criminal conduct of these two officers tarnish the reputation or the outstanding work of the Charlottesville Police Department. Today's Indictment is a testament

to the rule of law and makes it clear that no one is above the law.

I would now like to introduce Chief Tim Longo who has a brief statement for you, and then we will answer your questions.